

EXHIBIT 3

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UGOCHUKWU GOODLUCK NWAUZOR,)	
FERNANDO AGUIRRE-URBINA,)	
individually and on behalf of)	
all those similarly situated,)	
)	
Plaintiffs/Counter-Defendants.)	
)	
vs.)	NO. 3:17-CV-05769-RJB
)	
THE GEO GROUP, Inc.,)	
)	
Defendant/Counter-Claimant.)	

DEPOSITION UPON ORAL EXAMINATION OF DAVID HOLT

Tuesday, December 17, 2019
Lakewood, Washington

NWAUZOR vs GEO GROUP
David Holt, 12/17/2019

1 that you select to pay detainees derived from?

2 MS. BRENNEKE: Object to the form.

3 **A I do not know.**

4 Q (By Ms. Mell) Do detainees get 7.25 -- is it per hour?

5 **A Correct.**

6 Q And they get 7.25 per hour regardless of the tasks
7 undertaken?

8 **A That's correct.**

9 Q And with respect to the number of hours of work, how many
10 hours do detainees work?

11 **A It depends on the condition of the patient. Let me give**
12 **you an example. Some of the patients on the wards, they**
13 **cannot handle more than a half hour or an hour. Other**
14 **patients, for example, in our Habilitative Mental Health**
15 **program have a set number of hours per week that they work.**

16 Q What's the most hours any detainee works?

17 MS. BRENNEKE: Object to the form.

18 **A I don't know exactly. We have 260 patients on our**
19 **vocational rehab payroll that are receiving wages. I would**
20 **not know on each individual patient how many hours.**

21 Q (By Ms. Mell) What's the longest tasks that's assigned?

22 **A We have -- in our Habilitative Mental Health program, they**
23 **work daily Monday through Friday. They work two hours in**
24 **the morning and an hour in the afternoon, three hours per**
25 **day.**

NWAUZOR vs GEO GROUP
David Holt, 12/17/2019

1 Q And a patient may be kicked out of the vocational rehab
2 program if they refuse to participate at all?

3 MS. BRENNEKE: Object to the form.

4 A Let me clarify your previous question about whether they
5 get kicked out of the program. There is an example for
6 safety, for example, in the kitchen. If a patient cannot
7 handle being around dangerous equipment, et cetera, they
8 may move them into a different job category. They don't
9 get kicked out, but they would be adapted to the individual
10 needs of the patient.

11 Q (By Ms. Mell) Okay. So there's a misbehavior protocol.
12 What about a refusal to work protocol; what happens to
13 those people?

14 MS. BRENNEKE: Object to the form of the
15 question. It misstates prior testimony.

16 A I don't know that answer.

17 Q (By Ms. Mell) Is the participation voluntary?

18 A In the Habilitation Mental Health program it is part of
19 their treatment program, and all patients participate as
20 part of their treatment.

21 Q So they can't refuse to work?

22 A I don't know.

23 Q Why don't you know?

24 MS. BRENNEKE: Object to the form.

25 A I don't work in the program every day, and I would be

NWAUZOR vs GEO GROUP
David Holt, 12/17/2019

1 Q (By Ms. Mell) Do you know whether or not the federal
2 minimum wage varies based on activity?

3 MS. BRENNEKE: Same objection.

4 **A I don't know.**

5 Q (By Ms. Mell) What are patients required to do relative to
6 maintaining their personal grooming as well as the
7 facilities that they need to use to maintain themselves?

8 MS. BRENNEKE: Object to the form. Compound.

9 **A Could you repeat the question?**

10 Q (By Ms. Mell) Do patients have to change their beds?

11 **A Each patient is in a different place as far as their social**
12 **skills, their abilities, their intellectual capability, et**
13 **cetera. So each patient is on a ward where there is a**
14 **treatment team that considers the overall needs and**
15 **abilities of each patient and adapts the treatment plan to**
16 **meet those individual needs. Some patients can make their**
17 **beds; some can't. Some have intellectual capabilities that**
18 **they can't do it. Some have physical disabilities where**
19 **they can't. Some have mental disabilities where they**
20 **can't. They take the patient where they are and create an**
21 **individualized treatment plan to encourage grooming and**
22 **dress and making beds and keeping their personal space**
23 **appropriate and work with them to increase those skill**
24 **levels.**

25 Q So is it correct that there's no expectation by the State

NWAUZOR vs GEO GROUP
David Holt, 12/17/2019

1 question to the extent it calls for a legal conclusion.

2 **A I can't -- I can't state that. That's speculation. I**
3 **don't know.**

4 Q (By Ms. Mell) Do the patient workers work the same as the
5 State workers?

6 MS. BRENNEKE: Object to the form of the
7 question. It's been asked and answered, and it's very
8 vague.

9 **A Could you repeat that again?**

10 Q (By Ms. Mell) Do the patient workers work the same as the
11 State workers?

12 MS. BRENNEKE: Object to the form of the
13 question. It's been asked and answered for an hour-long
14 deposition, and it's very vague.

15 **A They work according to the treatment plan that the**
16 **treatment team works out with them based on their**
17 **individual needs and abilities.**

18 Q (By Ms. Mell) Do you think the patient workers have an
19 employment relationship with Western State?

20 **A They have a --**

21 MS. BRENNEKE: I'm going to object to the extent
22 it calls for a legal conclusion.

23 Go ahead.

24 **A They have a vocational relationship with our hospital that**
25 **helps provide them treatment. We're not about just jobs.**

NWAUZOR vs GEO GROUP
David Holt, 12/17/2019

C E R T I F I C A T E

I, DIXIE J. CATTELL, the undersigned Registered Professional Reporter and Washington Certified Court Reporter, do hereby certify:

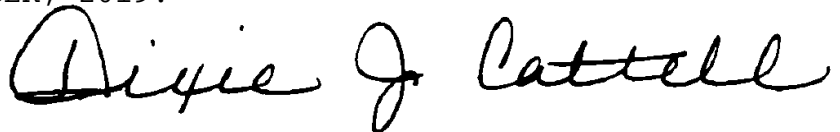
That the foregoing deposition of DAVID HOLT was taken before me and completed on the 17th day of December, 2019, and thereafter transcribed by me by means of computer-aided transcription; that the deposition is a full, true and complete transcript of the testimony of said witness;

That the witness, before examination, was, by me, duly sworn to testify the truth, the whole truth, and nothing but the truth, and that the witness reserved signature;

That I am not a relative, employee, attorney or counsel of any party to this action or relative or employee of such attorney or counsel, and I am not financially interested in the said action or the outcome thereof;

That I am herewith securely sealing the deposition of DAVID HOLT and promptly serving the same upon MS. JOAN MELL.

IN WITNESS HEREOF, I have hereunto set my hand this 21st day of DECEMBER, 2019.



Dixie J. Cattell, RPR, CCR
NCRA Registered Professional Reporter
Washington Certified Court Reporter CSR#2346